

FRAUD INVESTIGATION

FUNDAMENTALS FOR POLICE

by

RUSH G. GLICK, L.L.B.

Chairman

San Diego and Los Angeles Chapters

The American Society for Industrial Security

Member

State Bar of State of California

and

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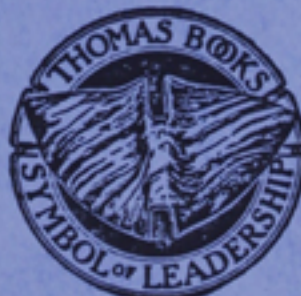
With a Foreword by

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University of Alabama

Birmingham, Alabama



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Published and Distributed Throughout the World by
CHARLES C THOMAS • PUBLISHER
Bannerstone House
301-327 East Lawrence Avenue, Springfield, Illinois, U.S.A.

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© 1974, by CHARLES C THOMAS • PUBLISHER
ISBN 0-398-03070-7
Library of Congress Catalog Card Number: 73-20368

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Library of Congress Cataloging in Publication Data
Glick, Rush C

Fraud investigation.

1. Fraud investigation. I. Newsom, Robert, S., joint author. II. Title.
HV8079.F7G57 364.12 73-20368
ISBN 0-398-03070-7

Printed in the United States of America
K-8

PREFACE

THIS BOOK is based upon a syllabus of specialized courses of instruction presented as an elective in the police science curriculum at San Diego Community Colleges and at the center for Criminal Justice Studies, California State University, Long Beach. The subject is police science, particularly fraud investigation. This is the pole star and all material included is viewed in the light of applicability and direction, whether it points to that star. The question continually posed, is the material included necessarily related to the subject matter or were we adhering to the tendency to transcend the fine line between police science as such, and pure law? Due to the similarities in language, terminology and purpose involved in both areas, this spectre was always present. There was no desire to present, as a finished product, merely another addition to the already ponderous collection of "law" books. With the guidelines established by the reviewers it is believed we were successful in the directing of the text towards the "science."

At the risk of a charge of apostasy, certain areas of study have been included although they have not in the past been a part of the general study of investigation usually presented in the police science course. Their inclusion emanates from the obvious need to understand certain fundamentals before attacking the selected and somewhat unique types of offenses which are a part of the highly specialized field of fraud investigation.

The authors have drawn upon their own experience and that of their colleagues in law and investigation in order to present a wide spectrum of study. The text, because of the resources used, is oriented in some degree to California legal and technical concepts and problems, however, where appropriate, a generalized viewpoint is presented.

ACKNOWLEDGMENTS

THE AUTHORS are deeply indebted to Brig. Gen. Harold L. Hjelm NGUS (ret) and his Menlo Park group who, with great patience and understanding, reviewed the original (and uncorrected drafts) giving their advice and no little encouragement to the project. Without such guidance, it never would have been complete. The learned counseling of C. Allen Graves, Ph.D., University of Alabama (formerly of California State University, Long Beach) relating to the mysteries of publication and subject matter had great influence upon the final product.

Appreciation is expressed here to the memory of the late Lieut. Ralph Bradford, Long Beach Police Department (ret) who permitted a resume of his check classification system to be included within the text and gave some sage advice regarding the topic of forgery.

Special acknowledgment is given to Harvey M. French, Special Agent, American Insurance Association (ret), for his guidance in relation to insurance frauds and to Lieut. William Hull (ret), Sgt. John Di Betta (ret) and Sgt. Ray Mercer of the Frauds Division, Los Angeles Police Department, San Diego County Deputy District Attorney, Frank R. Costa, for their knowledgeable contributions over a long period of time which proved invaluable. The writers are indebted to Grant Leake of the California Department of Public Health for his contributions to the chapter on medical frauds and his investigative assistance for many years.

Last, but not least, the authors salute their wives, who put up with seemingly endless hours of domestic double duty while the scriveners labored in their dens.

INTRODUCTION

“Crime is rampant in the United States!” This quote appeared in the *New York Times* describing the deplorable conditions of violence in our society today. Yet, to be complete in the assumption of crime, one must explore the more sophisticated criminal actions.

Historically, gifted journalists and criminologists have “re-invented the wheel” with methods of crime detection and causation. These literary pieces have explored and re-explored the realm of reported crime. Seldom, if ever, does any work delve into the mystique of such offenses as fraud. The common response to a “swindle” report given by a majority of law enforcement agencies is that this is a civil matter and that the victim should “see his attorney.” Nothing is further from the truth or more frustrating to the victim. All too often, the inability to recognize fraud as a crime results in the “kiss-off” of a case by the responding officer.

Why does this situation exist? The answer is relatively simple. First, the lack of criminal recognition by law enforcement and the failure to correlate the “trilogy” with plain theft. Second is the lack of adequate procedures or personnel for investigations, and third is due to a chronic lack of texts covering fraud and its proof.

The topic of fraud has been neglected by almost all in the literary field. Only specific instances have surfaced in the sea of texts. For the first time, a manual type text has been created, not only defining the aspects of fraud but also delineating the required items of proof.

The authors of this book have successfully combined a legalistic interpretation with a “tool and technique” approach to the problem. Both have bonafide law degrees and Captain Newsom’s

expertise is second to none in the field of fraud investigation. He has been instrumental in the establishment of P.O.S.T. schools in consumer fraud investigation as well as instruction in California institutions of higher learning. Mr. Glick has had many years of successful legal experience dealing with fraud cases—both defense and prosecution.

The primary purpose of this text is to create a bridge between the pragmatic approach of field officers and the academic theory of causation. This book integrates behavioral research with a well recognized format for the teaching of police investigation without an unnecessary amount of “academic jazz.”

To fill this need, this text concentrates on the technique-oriented approach and minimizes the theoretical concepts. No attempt, however, has been made to define in detail the duties and responsibilities of the ideal fraud investigator or to describe a set of guaranteed techniques which will lead to the successful apprehension of the con man. What has been done is the creation of an effective operating manual of guideline procedures required to understand, apprehend and successfully prosecute the fraud perpetrator.

The basic failure of a good many texts is the lack of continuity. This book is a pleasant exception. The authors have developed a credible flow of both ideas and procedures that involves the reader in a logical pattern of thought. All texts should start with a basic conceptual picture of the problem. Newsom and Glick have succeeded admirably in this approach.

As the book progresses, each topic is defined, exemplified and discussed in a concise manner. When dealing with basic intangibles, this could create undue problems. Again, the various frauds are explained in such a manner that the reader can feel comfortable with his conclusions.

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**FRAUD
INVESTIGATION**

CHAPTER I

BASIC CONCEPTS

The Purpose

THE PURPOSE OF this book is to develop an understanding and appreciation of the basic elements of theft oriented offenses. There are numerous fine articles and books on the topic of fraud in general written and published by knowledgeable people, but there seems to be a dearth of texts that can be implemented in the police science curriculum in which the student has, under one cover, the related law and investigative techniques outlined. It should be kept in mind, however, that a formalized course of instruction or a topical book does not an investigator make. All that these two can actually achieve is the opening of the student's eyes, widen his perspective to some degree and create some guidelines within which he can adequately function. The experience he gains by actual field work, either limited or enhanced by his own natural acumen, will in the final analysis be the determining factor as to his competency. All that is done in this book or any other text is to establish a well tested foundation upon which the student will build his own professional or technical future.

The Problem

In the terms of hard cash outlay all of the men with the guns in their hands or the ones with the prybars to open doors and windows do less harm to the economy of the country collectively than the smoothies of both sexes who rig company books, offer unfunded securities, forge or kite checks, organize credit card schemes, bribe a little here and there, induce the unfortunate

and helpless to forego proper medical aid for quackery and numerous other cute tricks to separate the unsuspecting and trusting citizen from his property. The total losses experienced each year from fraud operations can never really be determined. This class of crime from the police position is detectable rather than preventable; an increase of large numbers in a patrol or detective division would be of negligible effect. The prevention of loss is encumbent upon the victim. As one noted writer in the commercial security field said very succinctly, "losses aren't rising because there is too much theft; rather they are rising because there is too little prevention; let us not mistake the symptoms for the disease." Rising theft losses he avers were only the symptoms, the disease being "preventive malnutrition." In this he is right. However, his treatise was directed primarily towards large and highly organized firms with their own security units and not towards the usual business operation of a somewhat smaller size with which the average police fraud investigator would be more often concerned. The latter companies frequently do have the structure to establish really good and proper internal control methods, albeit the concept is one which should be implemented to the degree possible limited only by the organizational size and practicability. Empirical studies have disclosed many operational weaknesses in the smaller companies which can and should be overcome by proper methodology. They have also shown there are other reasons (*infra*) of a much more subtle nature which regardless of what preventive measures are taken will still result in losses.

Most fraudulent acts are never reported to a police agency because of the integrity of the firm, the reputation of the institution, the honor of the family, embarrassment, the old school tie, lodge brother affinity, personal obligations, or some other weighty factor on the social scale might be the first consideration and would take precedence over legal, moral, ethical and community duties. Also there is not infrequently found the spectre of joint culpability, moral if not legal. The presence of any one of these regardless of degree does not enhance the probability of official denunciation.

There are other problems too that beset the one who would

try to enforce the law in the area of fraud. It is the incongruous attitude sometimes taken by courts, prosecutors and even company directors towards the "sordid profit motive" which tempts someone to stray from the path of honesty and trust, equating this with some sort of unnatural, irresistible, immoral urge that is believed by them to be the driving force behind business operations, thus, the thief should not be unduly persecuted by holding him to answer. When does the "profit motive" cease to be a praiseworthy and acceptable purpose of business as conceived in our social order, and become some degenerated, foul and obnoxious reason? It would seem that this question has not, and can never be adequately answered, there being too many diverse and conflicting sociological viewpoints and theories to consider. Apparently the apologists fail to include in their rationale the very human instincts of avarice and greed. Robert Ardrey in his "African Genesis" * theorizes that man and all creatures desire dominance and acquisition. Another author has stated "honesty is an intellectual concept" and is much weaker than our instinctive drives and impulses, consequently the eternal battle between the two, base instinct and intellect, will always continue; the effort of reason to overcome that which is socially destructive.

Limited Perspective

Police efforts have almost traditionally focused upon the burglar, robber, murderer, rapist, car thief and public drunk. For reasons unknown there has been almost a complete disregard for that area of crime which has such a deleterious effect on our economy, financial security and morale; theft by fraud, and we are all affected by it. Napoleon once said of England that it was nothing but a nation of shopkeepers. Americans, due to our heritage and our country's origin similarly attach a great deal of importance to "business papers." The protective machinery of audited accounts and other internal control methods over merchandise, funds, fixtures and equipment of a business firm still leave innumerable loopholes for fraud and error. Trade and com-

* See note 1.

merce are swamped with documentation of every conceivable kind, but no amount of paper security can really outwit or thwart the thief all of the time if he has the intelligence, patience and usually the unknowing help of his victim. This is true whether the scam is the short or street con or up into the ethereal plane of involved high finance. This is true because the basic motives of the con-artists are the same as are the responses of the victims.

Jonathan Swift, the Irish born English satirist, in 1726 wrote his famous "Gulliver's Travels" in which he observed "The Lilliputians look upon fraud as a greater crime than theft, and seldom fail to punish it with death; for they allege that care and vigilance with a very common understanding may preserve a man's goods from theft, but honesty has no defense against superior cunning." What was true in Swift's (Gulliver's) day is no less true today notwithstanding electronic data processing and other phenomenal technical and social advances of our times. However, our attitudes towards crimes and punishments have altered appreciably. In 1939 Lord Maughm in the House of Lords, stated in connection with proposed legislation concerning trade and business practices, "Nothing is harder in cases of this kind than to catch all the ruffians and let through the honest man." The measure which was under consideration was of course viewed as too restrictive and summarily defeated.

It might be interesting to point out here that there has developed a change in the English attitude towards the "ruffians." In late 1968 the doctrine of "caveat emptor" (let the buyer beware) was converted to "caveat venditor" (let the seller beware) by the House of Commons. The new concept now permits the British police to initiate criminal action for violations of the "Trade Description Act" which is comparable to the false advertising statutes under California law and that of some other states. The law specifically covers oral as well as written claims so that any salesman who waxes overenthusiastically can be prosecuted, as well as his superiors or anyone else who has aided and abetted him.

In this unique area of theft which we shall explore it must be kept in mind that the bulky briefcase may contain nothing more

harmful than a book to read or a bag of sandwiches, but the techniques which can go with it can more easily pry open cash boxes and business accounts than any manner of instrument, blunt, sharp or otherwise. The corruptions and permissiveness of our times should be closely studied, "a little deal around the corner multiplied a thousand times becomes the rot in the core of the community."

The "Con-man," "BTO," "White Collar Criminal" or the "Bandit with the briefcase" as he is referred to in England, or whatever name is used to describe him has always been with us. There were sharp operators in prebiblical times and they have never ceased their attempts to relieve the gullible and trusting of their properties. Fraud activities have increased concurrently with the development of the national economy and commerce; as business and financial affairs became more complex so did the related frauds. The private rationalizations that are resorted to in effort to justify unethical and outright dishonest acts are astounding. It has become difficult to delineate between right and wrong, acceptable and unacceptable. Too often acceptance seems to be the difference in the size of the fraud; if it is large, daring and successful, the perpetrator is more likely than not to be viewed with envy and admiration; if it is small and not achieving the desired goal, the public viewpoint will be one of disapprobation.

Changing Social Attitudes

The philosophy and attitude created by our embracing the new liberalized morality has permeated the framework of our society at every level. The thief, and there is no more accurate description of him, can be the construction worker who steals the contractor's wheelbarrel or shovel, on up the scale to the bookkeeper or office manager who alters a few payroll checks, makes spurious entries into the company books or on into the realm of higher finance where securities are issued to the public without proper funding. The activities are not limited to any particular social strata, ethnic group, cultural or educational level.

Investigation dating back to 1967 has disclosed some interesting figures in the offender's age groups as equated with recidi-

vism. In the area of "fraud" (excluding the more generalized forms of theft) persons under twenty years of age were arrested for subsequent offenses 75 percent of the time; the twenty to twenty-four years old group repeated 55 percent; the twenty-five to twenty-nine years old group repeated 43 percent; the thirty to thirty-nine years old segment again repeated the same or similar crimes 46 percent; the forty to forty-nine years old category reflected a repeat performance of 40 percent; the fifty years and older types repeated over 18 percent; the overall average being approximately 42 percent. This seems to bear out a theory discussed in 1962 at a meeting of the California Check Investigators' Association in which it was stated that there is an inordinate degree of recidivism among embezzlers and check writers to the point that it confounded psychotherapy. Regardless of the treatment, guidance and the resolve of the offender, he will always fall back into the same reasoning and pattern of action when he is confronted with the same life's problems and opportunities; thus the old adage, "Once an embezzler, always an embezzler" seems to have some validity.

A number of Federal agencies concerned with fraudulent practices such as the Securities and Exchange Commission, Post Office Department and the Federal Trades Commission all have consistently reported rises in offenses within their respective jurisdictions. The FTC contends there is an inordinate rise in consent orders and other actions against companies in all industries and these are not just the so-called "fly-by-night" firms, but include the better known companies. One merely has to read daily newspaper to see the validity of this comment. The SEC consistently reports a comparable increase in offenses concerned with the issuance, funding and purchase of stocks and bonds. Here again, major brokerages have been involved, not just "boiler-room" hacks. The gigantic losses in this area have not even been computed other than to assert they are in the hundreds of millions of dollars. This situation, of course, has been aided by the size and complexity of the operations.

The Post Office Department reports constant increases each year in mail thefts and the use of the mails to defraud. This last, and the type which is of basic interest to this text, encompasses

a variety of scams such as savings and loan swindles, medical frauds, travel agencies, real estate schemes, lonely-hearts clubs, insurance frauds, etc. Again the figures for the losses are in the millions of dollars with the attendant heartbreak and ruin for the victims. Perhaps the basic cause for reported increases here lies not so much with the mails being the genesis of the frauds but with the fact that hardly any business, legitimate or otherwise can operate without written contact with clients or customers. They must perforce resort to the use of the mails to conduct their business. In other words, it may be more of an ancillary development than the actual means of a fraud.

Judicial Attitude

There is another element which epitomizes the prevailing climate of our mores and customs, this being the attitudes of the courts (and juries for that matter) towards the prosecution of such offenders. Most judges and juries do not become greatly indignant or overly excited when assessing the non-violent type of crime. The accused usually makes a far better appearance in the courtroom than does the narcotic addict or peddler, the prostitute, the hippie appearing murderer, the armed robber and burglar. Consequently his sentence, if in fact he is convicted of anything, is usually much lighter, even though the losses incurred by his victim are always much greater. Then there are the varied and circuitous processes of appeal, review and attendant measures which are not designed or employed with any idea of benefiting the prosecution. Fraud cases being what they are, often involve very complicated questions of law and procedure which invite the filing of appeals.

Furthermore, the con-artist is usually not lacking in intelligence and ability. He is more often than not a shrewd and sagacious person and has the best in legal, technical and business advice. They are tough and well-equipped adversaries. There is adequate legislation to preclude the reincarnation of the robber barons of the last century and similar characters, but with the new types operating today, with their revised and highly

skilled methods, education and new exciting ideas, it sometimes appears that law enforcement will always be frustrated in its attempts to control or stop them.

The Prototype

A natural question is "How do you identify the embezzler or con-artist?" There is no way. They do not fit into the prototype of the criminal as we usually visualize him. They live and behave, at least on the surface, like normal people; they usually are very likeable, sincere and sociable (how else would they be able to inspire confidence?); and they are at all levels of intelligence. There is no way in which an accusing finger of suspicion or guilt can be pointed at one unless his methods and mannerisms are so crude and inept they invite disclosure. This does not happen very frequently. As pointed out previously, the type of crime we are dealing with here is not something which can be controlled or eradicated by a large increase of manpower in the patrol division or a police department. In the case of the embezzler, the only effective devices known so far are (1) the implementation of good internal accounting control systems and (2) education. Even these can be circumvented. An audit by an independent outside accountant can in no assured way prevent fraud from happening and it does not of itself necessarily detect it. The auditor's engagement often of necessity includes a great deal of random testing or spot checking, not a detailed entry by entry examination, consequently frauds, especially small speculations (which can mount tremendously), very often will evade his expert gaze regardless of the new exotic and sophisticated machine accounting methods which are almost uniformly employed today. In the case of the con-artist sales, real estate, investment, automobile, securities and manufacturing fields in which involved processes are concerned, the problem is still greater. The doctrine of "caveat emptor" is so well settled, in spite of statutory and common law provisions concerning warranties and full disclosures, the buyer has only one protection, investigate before investing. And here, as with the potential embezzler, there is no sure way to determine before-hand the true situation. The vic-

tim is reduced to the position of assuming a calculated risk every time he moves. The old cliché, "You can't tell a player without a program" is applicable here; but where do you get the program?

The con-artist is a high pressure salesman. His whole effort is put forth to create a certain state of mind in his victim and upon reaching this objective, relieve him of his property. Invariably the question is posed, "How can anyone fall for such a scheme?" To those who have yet to be victimized, that small group of the superintellectuals who seldom get caught short, it is difficult to appreciate and understand the psychology involved. They have not been confronted by the radiant and sometimes almost mesmerizing personality of the con-artist with the finely drawn nuances, the emotionalism, the skilled application of rhetoric that can and does become overwhelming. The con-artist possesses tremendous understanding of human weaknesses, idiosyncracies, faults and even strengths which he uses subtly with the unconscious help of the victim, analogous to the judo expert in making his opponent fight himself.

The Police Attitude

"All that appears civil is not necessarily civil;" this parody of a better known metaphor is a truism in and of itself. The archaic attitude in police work that if a problem seems confusing and cannot be immediately classified as a violation of the Penal Code, the Vehicle Code or some local ordinance, "tell them it's civil and see their lawyer," is fast losing its acceptance in the more enlightened and progressive departments. This attitude was born out of ignorance, nurtured on laziness and brought to full growth by a combination of the two. We in this work can no longer evade our obligations by hiding behind a facade of pseudo legal knowledge. We must learn to accept our responsibilities, enlarge our operational spheres and realize that as law enforcement professionals we are not limited to a few finely defined sections of the Penal Code but should and must perform our duties in all areas which by legislation has been determined to be criminal in nature.

The victim in a fraud case admittedly often has recourse in

a civil suit for damages and recovery. But, he also has this concomitant right when he is injured in any manner in other criminal acts against him (assault, burglary, robbery, etc.). This, however, is very often at great expense and personal cost, notwithstanding some new legislation in this area. To deny the right of criminal prosecution for a fraudulent act, either to the individual complainant or to the state, is just as much a deprivation of basic rights as is malicious prosecution. The con-artist is fully aware of the reluctance displayed in the past by police agencies and many prosecutors to take forthright action and has used this to his advantage, tantamount to a cloak of implied immunity. This condition, however, is slowly but gratifyingly changing and the newly manifested attitude being exemplified in modern and forward-looking police agencies, aided by capable prosecutors, is to take the long hard analytical view of situations which come to their attention under circumstances that can be construed to be in the area of probable fraud. At least take the time to look and study; don't come to hasty and baseless conclusions on a minimum of facts and then discard the case out of hand.

The Needed Adjustment

Much has been written and said in recent years concerning the professionalization of the police. Many learned persons both within and without the legal profession, sociologists, law enforcement, lay persons, political philosophers and just plain politicians with some idea of expediency, have vocalized at length about what is right and what is wrong with the present concept of police action. It must be admitted in all candor by us, who make up this much maligned body, that some of the criticisms leveled and theories advanced are not entirely without merit, however much we would like to deny some of our apparent weaknesses. Whether or not we achieve in the future the desired recognition as a profession or respected trade (depending, of course, upon what construction is put to the term "professional"), it must be accepted that we are a worthy and necessary adjunct to the legal profession analogous to the relationship existing between the physician and the nurse or technician (both of the latter presently appear to be attaining such recognition).

To enhance our position and to assure a proper degree of competence within our sphere of activity we must develop an understanding of the basis of our work, the law. This does not limit itself to knowledge of a few frequently enforced sections of the Penal Code, Vehicle Code and local ordinances, but requires examination and assimilation of case law. Our position is much like that of a technician trying to implement the ideas of an engineer. He cannot perform unless he has some basic knowledge of engineering principles and can read a blueprint. We cannot perform unless we can read and understand our blueprint, the law. There must be developed within ourselves an appreciation, respect, understanding and acceptance of judicial decisions and the ability to operate within their framework. This does not mean that we must become attorneys (although it might help), but we must be able to apply the concepts which are established for us during the course of our action.

Law and Techniques

The reading of case law is not a "one-shot deal," but is a continuing thing. It demands our attention constantly due to the ever-changing philosophy as enunciated by the courts. What is true today may not be in vogue tomorrow, and there is always the concomitant spectre of criminal and civil liability confronting each of us as individuals when we transcend those limitations within which we must function. And, we have this individual responsibility for our transgressions, however innocently committed. So, regardless of our personal viewpoints, read, analyze, absorb and implement the prevailing legal concepts as they are set forth however transitory they may be.

In the course of study here we are primarily concerned with only one small segment of the criminal law; theft in its varied forms, its legal points and investigative techniques. In the ancient times, the thief, when caught, usually regardless of how minimal the offense, lost "the offending hand" by fire, axe, sword or some other such cruel but effective method. The message, to use the vernacular, was loud and clear. Of course other acts, some of which are no longer viewed as criminal offenses, were handled in similar summary fashion. As the years passed into

eons and civilization, with all its refinements of thought and action developed, man adopted a more charitable attitude towards miscreants, rationalizing their acts with their purported needs and motivations, all ascribed to their heredity, usually with some pseudopsychological equation involved and invariably related to some act or condition to which can be attached, rightly or wrongly (depending upon one's viewpoint) some social significance. As a consequence there has evolved a somewhat watered down emasculated set of ideals and principles in the legal and technical approach to offenders of society's rules for self-preservation of which theft is still considered a violation of the commandments, legislative or divine. Paradoxically, there has at the same time developed unusual and far-reaching laws equated with theft, the type and nature of which the early law-givers and arbiters never intended or even possibly dreamed. To appreciate this, one merely has to review the multiple codification of our laws and briefly examine the purpose or the myriad of commissions, committees, special agencies and similar bodies out of which has even evolved a third branch of the law; administrative. The scope can become ridiculously wide; too wide for the student of police science, and even for the law student to some degree. This mainly resulted from the more complex socio-economic structuring which always accompanies the growth of society's industrial, financial and scientific achievements. With this there is collateral growth of varied and different groups which demand legislative protection for their particular vested interests. The end result, as far as concerns law enforcement is obvious; the techniques are becoming as complex as the law which they are being used to support. The demands then upon the modern fraud investigator are becoming more pronounced. He cannot abrogate his responsibilities; neither can his organization if public service is a true commitment. He must prepare for the continuous neverending struggle by availing himself to every tool, and implement any legitimate means to assure he will not lose headway in fighting the encroachments of today's commercial Machiavellians.

* Note 1—"African Genesis," R. Ardrey, Dell Pub. Co., New York (1967).

CHAPTER II

TRILOGY OF THEFT

DIVISION A

FALSE PRETENSES

Basis of Statutory Provisions

THEFT BY FALSE PRETENSES (misrepresentation) is a statutory crime of fairly recent vintage when viewed against the backdrop of the common law. That body of legal precepts in its nascency considered larceny by trespass only, or the taking of property without the possessor's consent. Despite the rigid viewpoint it became apparent this was inadequate to cover frequent losses in which trust became the wrongdoer's weapon and he obtained the victim's property and the title thereto by fraud. To fill this vacuum there evolved the theory of the consent element being vitiated when it has been given as the result of misrepresentation or deceit. This concept became formalized through legislation and is what is today the law with varying refinements.

There are as many different forms of false pretenses as there are people to conceive them. Many are unchanging and static, countless more unique and different. Notwithstanding novelty and individual jurisdictional legal limitations the elements of the crime are uniform and are present in one form or other in any scheme which falls within that classification of theft. Such crimes can include the impersonation of another in their private or official capacity, receiving money or property in false character, fraudulent conveyances to defeat the rights of creditors, presenting false statements of financial character or conditions, false or misleading statements in charitable solicitations, removal of mort-